

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
V.)	CASE NO. 04-10307-WGY
)	
STEPHEN DAROSA)	
_____)	

AFFIDAVIT OF EUGENE PATRICK McCANN IN SUPPORT OF THE
ASSENTED TO MOTION OF THE ACCUSED
TO CONTINUE SUBSTANTIVE MOTION FILING DEADLINES AND FURTHER
PRETRIAL CONFERENCE DATE

I, Eugene Patrick McCann, being under oath, do depose and state as follows:

1. I am an attorney duly licensed to practice law in this Court.
2. I am the appointed counsel of record for Steven DaRosa.
3. I have personal knowledge of all facts set forth in this Affidavit.
4. The accused anticipates filing a motion to suppress based upon facts elicited from a motion to suppress heard before a Massachusetts court, Brockton District Court.
5. I have obtained the audio tape of said motion hearing, have sent it out to be transcribed, but I have not received the transcript as of the present time.
6. I anticipate receiving the transcript within the next two weeks.
7. Also, the accused's private investigator is in the process of interviewing witnesses in connection with the motion to suppress. I anticipate receiving written statements from these witnesses within the next two weeks.

Signed under the pains and penalties of perjury this 3rd day of November, 2005.

/s/ Eugene Patrick McCann

Eugene Patrick McCann, BBO #327400
Manzi and McCann
59 Jackson Street
Lawrence, Massachusetts 01840
Tel. (978) 686-5664

DATED: November 3, 2005

CERTIFICATE OF SERVICE

I, Eugene Patrick McCann, counsel for Stephen DaRosa, certify under the pains and penalties of perjury, that I have on this 3rd day of November, 2005, served a copy of the foregoing to be delivered by electronic filing to:

AUSA Paul R. Moore
Office of the United States Attorney
U.S. Courthouse, Suite 9200
One Courthouse Way
Boston, Massachusetts 02210

/s/ Eugene Patrick McCann

Eugene Patrick McCann